

DOCKET NO. 94-051-W - ORDER NO. 94-512

This matter comes before the Public Service Commission of South Carolina (the Commission) on the May 23, 1994, Petition for Reconsideration filed by Thomas F. Dugas, Esquire on behalf of Piedmont Water Company, Inc. (Piedmont). The bottom line on Piedmont's Petition is a request that our Order No. 94-393 be modified to omit the requirement that Piedmont Water Company, Inc. and Robbins Brothers, Inc. maintain and operate the Gauley Falls Water System. We will not recount the history of the Gauley Falls system. This was covered adequately in Order No. 94-393, however, it was very clear to the Commission at the time of the hearing, that the paper owner of the system, Ray Haskett and/or Gauley Falls Development Corporation was financially distressed. In the past, Piedmont and/or Robbins Brothers Company, Inc. (Robbins Brothers) had collected some \$8900 in tap fees from residents of Gauley Falls and had done so into 1992. Tom Sutton, an officer in both Robbins Brothers and Piedmont, represented that he would be willing to continue to aid in the operation and maintenance of the water system as stated. The Commission therefore held that, although Haskett and/or Gauley Falls Development Corporation was the paper owner of the system, Piedmont Water Company, Inc./Robbins Brothers

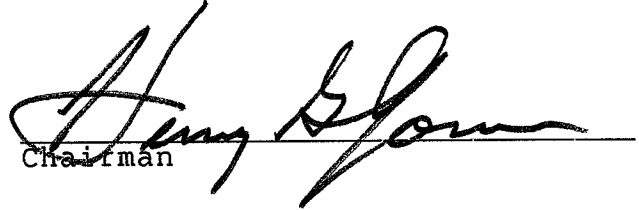
should continue to participate in the operation and maintenance of the Gauley Falls water system. The Commission has reviewed its Order No. 94-393, has reviewed Piedmont's Petition for Reconsideration, and sees no reason to change its holding in Order No. 94-393. Clearly, the people utilizing the Gauley Falls water system are entitled to be served by someone or some entity that is knowledgeable in the operation and maintenance of water systems. Clearly, Piedmont Water Company/Robbins Brothers has this knowledge. Although the Commission reiterates its position that the parties should negotiate with Pickens County for the purposes of Pickens County taking over the water system, the Commission believes that, at least in the interim, Piedmont Water Company/Robbins Brothers should continue to aid in operation and maintenance of the system.

An additional allegation of the Petition for Reconsideration is that Robbins Brothers should not be involved in any way in this case. As was stated, however, in the response to reconsideration filed on May 25, 1994, by Marvin J. Short, Esquire, attorney for a number of Gauley Falls owners, Tom Sutton, even in his proposed testimony conjoins the two entities. He clearly recognized in his prefiled testimony that Robbins Brothers, Inc. was in the controversy. Robbins Brothers, indeed, began suing people for their tap and meter installation fees, which is a part of the record in this case. Therefore, there is no question that Robbins Brothers has to be considered by the Commission as one equally responsible for operation and maintenance in this case.

IT IS THEREFORE ORDERED THAT:

1. The Petition for Reconsideration is denied.
2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)